

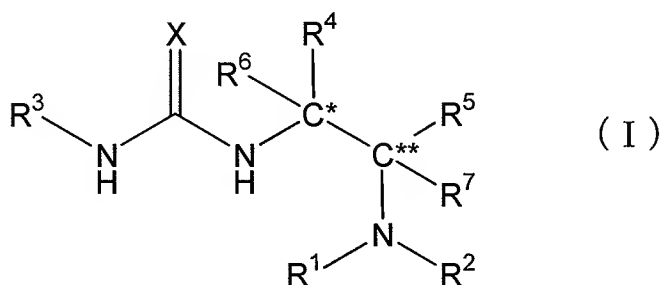
REMARKS

Claims 1, 3-5, and 17-19 are pending in the present Application. Claims 1 and 3-5 have been amended, Claims 2 and 6-16 have been cancelled, and Claims 17-19 have been added. Support for new Claims 17-18 is located in the specification at, for example, page 13, lines 14-15, and Example 1A. No new matter has been added. Accordingly, entry of the present Amendment is requested. Support for Claim 19 is provided by Claim 1. Claim 3 has been amended to depend from new Claim 19. New Claim 19 and the amendments to Claims 3-5 are for clarification purposes. (The phrase "or salt thereof" is already recited in Claim 1.)

In addition, page 31 of the specification has been amended in two places. First, the figure at the top of page 31 has been amended to disclose the correct structural formula of the compound prepared in accordance with Example 5. See page 30, lines 25-26. The addition of a methoxy group to the 2nd atom position of the phenyl is in accordance with the title compound, 1-[(R, R)-2-(N, N-dimethylamino)cyclohexyl]-3-(2-methoxyphenyl)thiourea, and is therefore readily apparent. Second, line 21 on page 31 has been amended to recite (R, R)-trans-N-[2-(N', N'-dimethylamino)cyclohexyl]acetamide. As one skilled in the art would appreciate, the addition of (R,R)-trans-N,N-dimethyl-1,2-diaminocyclohexane to a solution of acetic anhydride in dry tetrahydrofuran, as outlined in Comparative Example 1, would produce (R, R)-trans-N-[2-(N', N'-dimethylamino)cyclohexyl]acetamide.

As mentioned, Claims 17 and 18 have been added. Claim 17 further defines the compound of Claim 1, specifying that R⁴ and R⁵ form a C₃₋₇ cycloalkane together with the asymmetric carbons they are respectively bonded to. Claim 18 is a new independent claim and recites (R,R)-trans-1-[3,5-bis(trifluoromethyl)phenyl]-3-[2-(N,N-dimethylamino)cyclohexyl]thiourea.

Claim 1 has been amended to recite a compound represented by the formula (I):



wherein X is a sulfur atom; C* and C** are each independently an asymmetric carbon; R¹ and R² are the same or different and each is methyl, ethyl or isopropyl, or form isoindoline together with the nitrogen atom they are bonded to; R³ is a lower alkyl group optionally having substituent(s), an aralkyl group optionally having substituent(s), an aryl group optionally having substituent(s) or a heteroaryl group optionally having substituent(s); R⁴ and R⁵ are the same or different and each is a lower alkyl group optionally having substituent(s), an aralkyl group optionally having substituent(s) or an aryl group optionally having substituent(s), or R⁴ and R⁵ optionally form, together with the asymmetric carbons they are respectively bonded to, a homocyclic ring optionally having substituent(s) or a heterocycle optionally having substituent(s); and R⁶ and R⁷ are the same or different and each is a hydrogen atom or a lower alkyl group optionally having substituent(s), or a salt thereof.

Claims 1-3 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Du Bois (WO 03/045937 A1). Additionally, Claims 1 and 3-5 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Gong (EP 0903349 A2).

Applicants traverse and respectfully request the Examiner to reconsider in view of the following remarks.

Applicants respectfully submit that the present claimed invention, as defined by amended Claim 1, is not anticipated or rendered obvious by Du Bois or Gong.

For at least the above reasons, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of Claims 1-3 based on Du Bois and Claims 1 and 3-5 based on Gong.

With regard to new claims, Claim 17 depends from Claim 1 and is at least patentable by virtue of its dependency.

Additionally, the Examiner has indicated that Applicants' elected species, Example 1A, is allowable. Therefore, Claim 18 is patentable because it recites the compound of Example 1A written in independent form.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

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